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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,005	02/25/2000	James Carlton Bedingfield	36968/187943	6967

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EXAMINER

FOSTER, ROLAND G

ART UNIT	PAPER NUMBER
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2645

19

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/513,005

Applicant(s)

BEDINGFIELD ET AL.

Examiner

Roland G. Foster

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 13-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION*****Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 01, 2004 as Paper No. 15 has been entered.

***Response to Arguments***

Applicant's arguments with respect to claims 13-26 have been considered but are moot in view of the new ground(s) of rejection. Nonetheless, claim 13 recites that the "characteristics" of the two voice mail servers is sufficient to determine whether the message may be transferred between the voice mail servers. Similarly, the sever information stored in the directory of Bartholomew is sufficient to determine whether the message may be transferred between the two servers (as discussed below). Thus, the information could fairly be interpreted as characteristics consistent with applicant's claim structure.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 13-26 are rejected under 35 U.S.C. 102(e) as being anticipated by

Bartholomew et al. (U.S. Patent No. 5,812,639) ("Bartholomew"), of record.

With respect to claim 13, see the following paragraphs for details on how

Bartholomew anticipates particular limitations within the claim.

The limitation "creating a messaging directory with information on characteristics of the respective voice mail servers" reads on Bartholomew as follows. An ISCP directory, created at some point in time, contains information that identifies whether a first mailbox associated with a caller (message originator) is "authorized to communicate mailbox-to-mailbox" and the "existence and identity of a mailbox for the called number" (emphasis added). If so authorized and validated, then the ISCP then provides routing label to the SSP that identifies the destination address of the second voice mail server (Figs. 2, 3, and col. 37, lines 15-20) so that the SSP can send the message in SS7 packets to a recipient mailbox in the second voice mail server. Therefore, the ISCP messaging directory can be considered as containing information on the characteristics (e.g., authorization and identity information) on the respective voice mail servers.<sup>1</sup>

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<sup>1</sup> That is, claim 13 recites that the "characteristics" of the two voice mail servers is sufficient to determine whether the message may be transferred between the voice mail servers. Similarly, the server information stored in the directory of Bartholomew is sufficient to determine whether the message may be transferred between the two servers. Thus, the information could fairly be interpreted as characteristics consistent with applicant's claim structure.

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The limitation "a. querying the messaging directory in order to identify a first voice mail server associated with a caller originating a message and second voice mail server associated with a recipient of the message" reads on col. 10, line 42 – col. 11, line 7 and col. 27, line 40 – col. 28, line 67 as follows. A TCAP query is made from an SSP to an ISCP directory in order to determine authorization as discussed above. If so authorized and validated, then the ISCP then provides routing label to the SSP that identifies the destination address of the second voice mail server (Figs. 2, 3, and col. 37, lines 15-20) so that the SSP can send the message in SS7 packets to a recipient mailbox in the second voice mail server. The routing label also identifies the destination address of the first voice mail server providing first (originating) mailbox in the case where the message recipient returns the message (col. 28, lines 61-67 and col. 37, lines 15-20). Therefore, the directory query has resulted in the identification of both the first and second voice mail servers.

The limitation "b. based on the identities of the first and second voice mail servers, causing the messaging directory to check the respective characteristics of the two voice mail servers to determine whether the message may be transmitted between the first and second voice mail servers" reads on the authorization and validation step discussed above where it is determined by querying characteristics in the messaging directory, whether the voice mail servers, which provide the respective mailbox services, may communicate. That is, determining whether a mailbox is authorized to communicate with another mailbox goes to determining whether a message may be transferred between them.<sup>2</sup>

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<sup>2</sup> Note also that the second voice mail system (message recipient) is separately authorized when the ISCP associated with the second voice mail system determines if the recipient is authorized to use mailbox to mailbox transfer in order

With respect to claim 19, see the following paragraphs for details on how Bartholomew anticipates particular limitations within the claim.

The limitation "ascertaining an identifier associated with the calling party" reads on the calling station identification, which is ascertained in the TCAP query to the ISCP (col. 28, lines 1-5).

The limitation "using the identifier to determine the identity code that identifies the first VMS" reads on the ISCP which, in response to the TCAP query provides a routing label that identifies the originating address (identity code) that identifies of the first VMS as discussed in the claim 13 rejections above.<sup>3</sup> See also col. 37, lines 15-20.

The limitation "using the identity code to determine information including the location of the first voice mail server, the identity of the first service provider operating the first voice mail server, and the existence of agreements between the first service provider and the other service providers" reads on Bartholomew as follows. The voice mail server's identity code is associated with the originating address (location) of the first voice mail server as discussed in the claim 13 rejection above.<sup>4</sup> The routing label, which contains the identity code, also as discussed above, also contains the network identification (Fig. 3), which identifies the network providing the voice mail services (e.g., the service providing network associated with SSP 314 and voice mail system 374 of Fig. 4). Note also that the billing

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to reply to the received message (see col. 28, line 61 – col. 29, line 2 as discussed in claim 20 rejection supra for further details).

<sup>3</sup> See also footnote 2.

<sup>4</sup> That is, the address (identity code) (as discussed above) comprises location point code information such as member, cluster, and network identification that "points to" (locates) the server within the network (e.g., col. 37, lines 15-30). See also footnote 3.

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functions performed by the ISCP 350, which are based upon the determined identity codes, would also identify the proper service providers in order to accurately bill for use of the identified voice mail system. Regarding the existence of agreements, see the authorization (validation) steps as discussed in the claim 13 rejection above which signifies an agreement to support mailbox to mailbox transfers between specific voice mail server identity codes. See also col. 44, lines 42-58 where the routing label (containing the voice mail server identities) also reflects business agreements such as use of specific interexchange carriers during certain time period (col. 44, lines 42-58).

The limitation "using the information to determine whether the receiving caller may communicate with the first voice mail server in response to the message" reads on col. 28, line 61 – col. 29, line 2 where the ISCP 352 associated with the "receiving caller" (message recipient) determines if the receiving caller is authorized to use mailbox to mailbox transfer in order to reply to the receive voice mail (communicate with the first voice mail server).

With respect to claim 20, see the claim 19 rejection for further details. The "messaging servers" read on the VMS(s) of claim 19. The "customers of different companies operating the messages servers" of claim 19 reads on the subscribers to the VMS(s) which are operated by different service providers (companies) (col. 26, lines 54-65). The disparate messaging servers utilized by customers of different companies would serve different areas. The exchange of data is governed by business rules such as use of specific interexchanges during certain time periods as discussed in the claim 19 rejection above. The use of an interexchange carrier is also a business law (regulation) (col. 39, lines 57-63).

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With respect to claim 14, the routing instructions provided by the ISCP "locate" both the first and second voice mail servers in order to successfully route the SS7 packets to them as discussed in the claim 13 rejection above. The service providers are the SSPs associated with each voice mail server.

With respect to claim 15, see col. 28, lines 1-5.

With respect to claim 16, see the claim 13 rejection for further details.

With respect to claims 17 and 23, the selection of interexchange carrier is an applicable regulatory rule that allows the exchange of long distance data transactions but only through an interexchange carrier. The selection of an interexchange (i.e., long distance carrier) is based on the locations of the first and second servers. See the claim 20 rejection and col. 39, lines 58-63 for further details.

With respect to claim 18, see the validation (authorization) step as discussed in the claim 13 rejection which determines whether message transmission may proceed if the identity of the voice mail servers are different.

With respect to claims 21 and 21, see the claim 14 rejection for further details.

With respect to claim 24, see the claim 13 rejection for further details.



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With respect to claim 25, receipt of a return message as discussed in the claim 13 rejection above would serve as a confirmation that the original destination entered by the caller was correct.

With respect to claim 26, see col. 29, lines 14-26.

Claim 19 recites various combinations of limitations equivalent to limitations previously discussed above. For example, see the claims 13, 14, 17, 19, 20, 23 and 30 rejection for additional details.

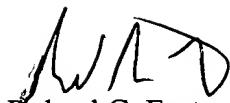
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*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roland Foster whose telephone number is (703) 305-1491. The examiner can normally be reached on Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang, can be reached on (703) 305-4895. The fax phone number for this group is (703) 872-9309.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306-0377.



Roland G. Foster  
Primary Patent Examiner  
June 28, 2004